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Minutes from the City Council Meeting on Tuesday July 2, 2019 at 7:15 pm in the RiverMills Senior Center, 5 West Main Street are as follows:

Vieau, John L.	Ward 3 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Brooks, Shane D.	Ward 2 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present
Labrie, Gary R.	Ward 8 Councilor	Present
Walczak, Stan	Ward 9 Councilor	Present

CITY COUNCIL  
CHICOPEE MA

Public Input-none.

MO-1 Mayors appropriation of Sixty eight thousand fifty six and 00/100 dollars (\$68,056.00) to the following named account: MIS Special Account for Capital Acquisitions from available funds in the MIS Special Account for Camera Install./Maint. Account.

--Motion made by Councilor Laflamme to receive and pass. Councilor Laflamme stated for the Public Safety Complex. Door access, electronic stripes, cameras. Motion passed through all stages by a unanimous roll call vote.

MO-2 Mayors appropriation of Ten thousand two hundred forty four and 00/100 dollars (\$10,244.00) to the following named Sanitation Salary Accounts:

MEO/Laborer	\$ 6,988.80
MEO/Laborer/Recycling	2,100.80
Special MEO/Recycling	<u>1,154.40</u>
	\$10,244.00

Said amount is to be raised in the FY'2020 Fiscal Year Tax Levy.

--Motion made by Councilor Dobosz to receive and pass. Councilor Dobosz stated there are some corrections to the laborers salary. Councilor Tillotson stated this was an oversight in the budget, new steps. Councilor McAuliffe stated he is particularly pleased UFCW 1459 has come to an agreement. Long overdue. Motion passed through all stages by a unanimous roll call vote.

MO-3 Ordered that the City Council accept the MARTAP Helping Hand Mini Grant in the amount of One thousand and 00/100 dollars (\$1,000.00) from the Commonwealth of Massachusetts Department of Transportation to the Chicopee Council on Aging. Said Grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive, pass and the grant accepted. Councilor Courchesne stated to assist the Senior Center transportation program. Councilor Tillotson stated a match from the Senior Center. Motion passed through all stages by a unanimous roll call vote.

MO-4 Be it Ordered that the Chicopee City Council, in accordance with the City Charter and Chapters 40, 79 and 83 of the Massachusetts General Laws and every other power authorized by law, does hereby take by eminent domain the fee interest in two parcels of land described in Exhibit A comprising what is to be laid out as Fiske Lane, a Public Way.

The parcels are shown in more detail on a plan entitled "Proposed Land Taking for Fiske Lane, Chicopee, Massachusetts surveyed for the City of Chicopee", dated February 5, 2019 Scale 1" = 20' by Durkee, White, Towne and Chapdelaine Civil Engineers and Land Surveyors, recorded in the Hampden County Registry of Deeds Book 385, Page 114, which is also contained in Exhibit A.

The purpose of this taking is for repairing, replacing, altering, and reconstructing Fiske Lane and its appurtenances in order to lay out a Public Way for the common convenience and necessity of alleviating existing and future traffic congestion due to ongoing development in this area of Main Street.

No betterments are to be assessed under this taking and the Department of Public Works shall cause the attached order of taking to be recorded at the Hampden County Registry of Deeds forthwith..

--Motion made by Councilor Zygarowski to receive pass and the Council authorize the Mayor to take the land. Councilor Zygarowski stated the tenants couldn't come to an agreement, city stepped in. Very complicated, best way to help. Councilor Tillotson stated costing very little money, we own the road, will now control the road. Sports complex draw big crowds. Lot of people come to these events. Will control the speed limit have control of the road, whole area will benefit. Glad it's coming here. Councilor Laflamme stated will vote for this, developer will be land locked without this passing, great idea. Motion passed through all stages by a unanimous roll call vote.

MO-5 AN ORDER ACCEPTING FISKE LANE, SO-CALLED, AS A PUBLIC WAY

WHEREAS, the City Council has determined that for the common convenience and necessity of Public Way, FISKE LANE, so-called, be accepted as a Public Way; and

WHEREAS, said way, FISKE LANE, having been laid out as a Public Way and that all requirements of law in relation thereto have been complied with; and

WHEREAS, the abutters, their property having been appraised, shall be compensated in accordance with M.G.L. c.79 for an eminent domain taking in fee having been authorized by separate Order of the City Council.

NOW THEREFORE, it is ordered that FISKE LANE, so-called, be laid out and accepted as a Public Way.

FURTHERMORE, that betterment assessments be waived in regards to this matter and that the layout of the said Public Way be as described as follows:

A DESCRIPTION OF TWO PARCELS COMPRISING FISKE LANE ALONG WITH A PLAN DEPICTING SAID NEW PUBLIC LAYOUT IS ATTACHED AS "EXHIBIT A"

--Motion made by Councilor Balakier to receive, pass and Fiske Lane be laid out and accepted as a public way. Councilor Balakier stated this is a combo of order number four and five, best way to alleviate the problems. In favor of this. Motion passed through all stages by a unanimous roll call vote.

MO-6 School Department Improvements Bond Authorization. Ordered that Three million eight hundred seventeen thousand and 00/100 dollars (\$3,817,000.00) is appropriated to pay costs of making various school department improvements, including (1) in-house air conditioning of classrooms, (2) replacing the turf field at Chicopee Comprehensive High School (3) improving cameras, doors and lighting at various school buildings, (4) providing lighting for the turf field at Chicopee High School, and (5) building out of space to expand educational opportunities for students at Chicopee Comprehensive High School, and for the payment of all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Tillotson to receive, pass and the bond authorization approved this evening. Councilor Tillotson stated first time in a long time the city and schools are working together. Air Conditioning can be done over a period of time. High schools are air conditioned. Turf is a liability issue. Improve cameras and door lighting, Chicopee High should have lights too. Expand space at Chicopee Comp, vocational is where future jobs are at. Hire teachers, money will not be spent all at once, haven't given much extra to schools, its time. Councilor Laflamme stated will bring on more of a workforce to the city, one facilities department. Give and take with the city. First community in western mass to have air conditioning in every school. Comp turf, the useful life has been extended. Money well spent, in favor of passing. Rates are low right now won't be spending all at one time. Won't draw until needed. Time to work with the school department, support education. Councilor McAuliffe stated first thank the Mayor for bringing this forward. Air conditioning, CTE, expansion, turf. We don't get to this point if not for the teachers pushing for all of this. Very excited to see this tonight. Talking about CTE expansion since 2011. In the next year adding HVAC and plumbing is huge. Not all kids want to go to college. Money will be pumped back into community. Encourage colleagues to support this this evening. Councilor Balakier is in support. Motion passed through all stages by a unanimous roll call vote.

MO-7 Pool Removals Bond Authorization. Ordered that Eight hundred seventy five thousand and 00/100 dollars (\$875,000.00) is appropriated to pay costs of removing and remediating the Szot and Fairview pools, including the payment of all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is

authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Labrie to receive and pass. Motion amended by Councilor Walczak to refer to Finance Committee. Councilor Labrie stated two pools that haven't been in service for years, need to come down, pvc's need to be removed. The longer it sits there, the more it will cost, could be a liability. Councilor Tillotson stated sad day to see these pools close. It's an end of an era, will support, no interest in revitalizing, this long. No attempt to fix, now a hazard, a liability. Expensive gut project, hazardous materials jack the price way up. Taken out of the ground and taken somewhere else. Could be less, could be more. Not going forward with any new pools. Councilor Walczak stated couple concerns, estimates from December of 2018, meeting with the Parks Commission a couple weeks ago and nothing was brought up. Company, relying on one company, didn't have a great dealing with them in the past dealing with Ray Ashe. Lot of firms specialize in parks, Szot always qualifies for grants. Like to know what the plans are. We shouldn't leave this up in the air, does the state know about this? Councilor Balakier stated he was a lifeguard at that pool, near and dear to him. Concerns about the projected use. Other companies? Agree with sending to committee. Motion passed, referred.

MO-8

Fire Ladder Truck Bond Authorization. Ordered that One million one hundred sixty one thousand five hundred and 00/100 dollars (\$1,161,500.00) is appropriated to pay costs of purchasing a ladder truck for the use of the Fire Department, including the payment of all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Walczak to receive, pass and the bond authorization be granted. Councilor Walczak stated station 5, deteriorated beyond repair. This point in time important to safeguard the people. Councilor Laflamme stated he saw the truck with the chief, frame is rotted, much of the truck is rotted, have to have it custom made because of clearance at station 5, every time the ladder was used, also needed a pumper, this truck will do both. Takes a year to order, very important to Willimansett, thank the Chief. Councilor Tillotson stated both trucks are over 20 years old. When you buy at the same time, they die at the same time. Tough when they go at the same time. Something to do. Truck will be red. Councilor Roy spoke with the Chief to ask why aren't we going with a platform truck? The truck won't fit into the station and it would cost an extra \$220,000.00 for a platform truck. Motion passed through all stages by a unanimous roll call vote.

MO-9 Hazardous Material Remediation – Uniroyal Buildings Bond Authorization. Ordered that Two million and 00/100 dollars (\$2,000,000.00) is appropriated to pay additional costs of abating hazardous materials at Uniroyal Buildings 15, 27 and 42, weatherproofing Uniroyal Buildings 27 and 42, and for the payment of other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Brooks to receive, pass and the bond authorization be authorized. Councilor Brooks stated significant achievements there but this will help get a clean site and get back on the tax rolls. Councilor Tillotson stated hopefully some money from the government and the tire place. Motion passed through all stages by a roll call vote of 12 yes 1 out of chair. Councilor Laflamme out of chair.

MO-10 Lower Bemis Pond Dam Removal/Abbey Brook Restoration Bond Authorization. Ordered that Two million and 00/100 dollars (\$2,000,000.00) is appropriated to pay costs of (1) the removal of the Lower Bemis Pond Dam and the restoration of Abbey Brook from the Upper Dam to Front Street, (2) making various recreation improvements within the project area and (3) the payment of all other costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Krampits to receive, pass and the bond approved this evening. Motion amended by Councilor Roy to refer to the Finance Committee. Councilor Krampits stated for the removal of the dam at Bemis pond, for removal and reconstruction. Will be public hearings. Stated with the state, restrictions, didn't serve a purpose any more, safety issue. Councilor Roy amended to refer to Finance Committee. Motion passed, referred.

MO-11 Old Library Repairs Bond Authorization. Ordered that Seven hundred fifty thousand and 00/100 dollars (\$750,000.00) is appropriated to pay costs of making roof and other structural repairs to the former Public Library building to accommodate future tenants, including the payment of all other costs incidental and related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this

vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor Roy to receive, pass and the bond authorized. Motion amended by Councilor Roy to refer to the Finance Committee. Councilor Roy stated for the old library, want to encapsulate it. Want more information. Councilor Laflamme stated he hopes the chair would call an early meeting. Councilor Dobosz stated he has a lot of concerns with this one, not sure it's worth it. Could be years before any use, doesn't matter it's a historical building to him or his constituents. Councilor Brooks stated it matters to the state. Based on a report from the state it is structurally sound. Councilor Tillotson stated dilemma, building is historical, there, and it looks nice. Library is basically a small building. We need to decide what we want to do. More people downtown could put something in there. All of value has been taken out. Historical building what are we going to do with it? There will be more parking once the building next to City Hall is down. Have Lee come in and tell us what he has been doing, fish or cut bait by August. Councilor McAuliffe stated here we go again, another historical building, another debate. Investing in City Hall, failure of the city to invest in the building when they moved the library, another example of kicking the can down the road. Needs to get done, everything needs to get done, no economic plan for the city. Need to prepare, lot of money, structurally sound, gutted, area focal point for the city. Councilor Roy stated he has no doubt this will pass, just want more information. Councilor Brooks stated fifteen years ago he was a young taxpayer with two kids. I have a good life. Lot of good families have stayed here through the years, was able to be a homeowner here in Chicopee because we do offer good value. Stewards of the city on both school and council sides. Councilor McAuliffe stated he would like to have debate. Reality is undeniable. Taxes have gone up every year almost. Not specifically just to Chicopee, do need to have discussion, engage residents in this. Need to have debates otherwise things get rubber stamped through. Councilor Laflamme states he doesn't get calls like this. Just don't get calls like this. Councilor Vieau stated we are talking about a building that is a historical building in our downtown. Many potential uses, beautiful shell for a building, marketing a sound shell for the economic development in the center of Chicopee. People are looking at that building. Replacing the roof for viable use of the building. Councilor Courchesne stated no one will come in with the roof needing to be done. Need to fix and make it marketable. Councilor Roy stated he didn't mean to start this, nobody says it isn't going to pass. Councilor McAuliffe stated with all due respect, we left that building without a plan. Left city hall neglected for 20 years, now there is a big price tag. Councilor Dobosz stated mainly looking for use in the building, more information, lease, how many years away could that be, would love to see. Councilor Tillotson stated not saying in favor or not in favor, tired of negativity, there have been plans. Plans don't always work the way you want. The Rivoli, the owner doesn't want to sell, doesn't have the money to continue. Have moved in the city, middle school, you can plan, doesn't always happen. Everyone is competing for economic development. Working together. We've done a very good job in this city moving forward. Two new high schools, middle school, library. Tired of hearing we're not progressive look at the senior center. Proud to have worked to contribute to this, what to do with it. Nibbles, no bites, working on it. Councilor Walczak stated Community Development sub-committee Kathleen outlined economic development. We should tap that resource, best future look. Councilor Balakier stated agreement, going to Finance is the way to go, Cultural Council is very interested. Councilor Zygarowski stated have to say something. That building is in need, at the entrance to our city. Mayor has great ideas. Library, fix the roof or tear building down. Think about other cities that take these buildings and restore them. Need to put the roof on there, hope we do everything we can to preserve this. Need to develop downtown.

Done a lot of good in the city. Do what's best for the city. Councilor Walczak stated just get it to Finance. Motion passed, referred.

- MO-12      Roadway Improvements Bond Authorization. Ordered that Five million two hundred fifty thousand and 00/100 dollars (\$5,250,000.00) is appropriated to pay costs of making roadway improvements, including the payment of all other costs incidental or related thereto; that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow said amount under and pursuant to M.G.L. C. 44, Sec. 7(1) or pursuant to any other enabling authority, and that the Mayor is authorized to take any other action necessary or convenient to carry out the purpose of this order. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. Chapter 44 Sec. 20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

--Motion made by Councilor McAuliffe to receive pass and the bond authorization granted. Motion made by Councilor Balakier to refer to the Finance Committee. Councilor McAuliffe stated fun one, road projects, Derek is making out like a bandit, lot of significant improvements. Councilor Dobosz stated none of his were done last time. Mayor promised to put in for New Lombard as soon as the dump closed and he did. Councilor Tillotson stated don't know who came up with these roads, are these the worst roads? Bonding could go out in August. Maybe other roads we should be looking at. Councilor Balakier stated because of more discussion to clarify dollar amounts. Councilor Laflamme stated he travels most of these streets, all in bad shape, Granby Road needs to be done before we lose underneath, sealer won't do it. Salt makes it worse, need full depth reconstruction. Baskin Drive, main route for city vehicles now, hoping to not lose businesses on these roads. Willing to send to Finance, main drag areas throughout the city. Councilor Dobosz stated no issue sending to Finance, looking for support here. New Lombard road is the worst street in the city. Very, very poor road. Councilor Courchesne stated Buckley Boulevard has a unique situation with drains, no water main breaks, earth, water table has risen, project. Treasurer Laflamme was allowed to address the Council, she stated by August 26, 2019 unless bonding is approved before the end of July won't be all one submission. Will have to re-bond at a cost to the city, if you can get by the end of July, if not, will be at a future date. Councilor Tillotson stated not opposed to New Lombard, Chapter 90 money is available. Some may be ok with these city wide, want input in each ward, Prospect Street behind CVS is a disaster. Motion passed by a unanimous roll call vote to refer.

- 13            A favorable Public Safety Committee report, BE IT ORDERED THAT the Public Safety Committee meet to discuss Dallaire Avenue.

--Motion made by Councilor Zygarowski to receive and placed on file. Councilor Zygarowski stated you had to be at this meeting to understand. Councilor Labrie stated won't go a half hour, meeting went an hour. Fifteen residents showed up, officer Wilk, Elizabette Botelho, Elizabeth Soja, & Chris Chaban the City Engineer. One resident has a radar gun, there was a sign for 15 MPH, resident requested a speed study. 25 MPH signs to be put back up, want to stop truck traffic. Road is wide, no way to stop trucks. Neighbors can call the companies with trucks using the road to see if they could take an alternative route. Lot of use on that street, 25 MPH sign will be put up. Speed bumps requested by the residents, DPW superintendent not in favor, officer Wilk stated the more you call police, they can know the best time to put a cruiser there. Councilor Tilloston stated told them it's the widest street in



all of Aldenville, that's why so many people use it. Councilor Zygarowski stated the crowd at the end of the night made some headway, one individual has a right to complain. People were courteous and understanding. Motion passed.

- 14 A favorable Utilities Committee report, Petition from Columbia Gas of Massachusetts, to be granted a location and permission to install and maintain 215' of 2" MP plastic gas main on Homer Avenue from Hamburg Street to 33 Homer Avenue with such laterals and service connections as it may now or subsequently find necessary.

--Motion made by Councilor Labrie to receive and accept the petition as read. Councilor Labrie stated the City Engineer, DPW Superintendent, and Assistant Superintendent all work well together. Motion passed.

- 15 A favorable License Committee report, an application for a Class II license for A and J Trust Auto Repair located at 920 B Meadow Street. Applied for by: Angel Alicea, 128 Exchange Street, Chicopee, MA 01013.

--Motion made by Councilor Walczak to receive and the license granted with restrictions and Fire Department approval. Councilor Walczak stated the gentleman is anxious to work on specialty cars, read the restrictions into the record. Motion passed.

- 16 A favorable License Committee report, an application for an Auto Repair license for A and J Trust Auto Repair located at 920 B Meadow Street. Applied for by: Angel Alicea, 128 Exchange Street, Chicopee, MA 01013.

--Motion made by Councilor Walczak to receive and the license granted with restrictions and Fire Department approval. Councilor Walczak stated same restrictions. Motion passed.

- 17 A favorable License Committee report, an application for a Class II license for Veteran Auto Service located at 238 Meadow Street. Applied for by: Pablo Morales, 19 Dianna Drive, Springfield, MA 01104.

--Motion made by Councilor Walczak to receive and postpone to the call of the chair. Councilor Walczak stated looking to take over business, clutter in back, financial issues. Motion passed, postponed.

- 18 A favorable License Committee report, an application for an Auto Repair license for Veteran Auto Service located at 238 Meadow Street. Applied for by: Pablo Morales, 19 Dianna Drive, Springfield, MA 01104.

--Motion made by Councilor Walczak to receive and postpone to the call of the chair. Councilor Walczak stated same as previous. Motion passed, postponed.

- 19 A favorable License Committee report, an application for an Auto Detailing license for Veteran Auto Service located at 238 Meadow Street. Applied for by: Pablo Morales, 19 Dianna Drive, Springfield, MA 01104.

--Motion made by Councilor Walczak to receive and postpone to the call of the chair. Councilor Walczak stated same as previous. Motion passed, postponed.



20 A favorable License Committee report, an application for an Auto Repair license for Mr. Clean Auto Detailing located at 904 Meadow Street. Applied for by: Evelyn Roman, 71 Blunt Road, Springfield, MA 01109.

--Motion made by Councilor Walczak to receive, granted and the Auto Repair License granted with restrictions. Councilor Walczak stated the business was on Granby Road, relocating to Meadow Street, restrictions read into the record. Motion passed.

21 A favorable License Committee report, an application for an Auto Detailing License for Mr. Clean Auto Detailing located at 904 Meadow Street. Applied for by: Evelyn Roman, 71 Blunt Road, Springfield, MA 01109.

--Motion made by Councilor Walczak to receive, granted and the Auto Detail License granted with restrictions. Councilor Walczak stated same conditions, same restrictions. Motion passed.

22 A favorable License Committee report, an application for an amendment of a Junk Dealers License. Change of location from 766A Memorial Drive to 1260 Memorial Drive. Applied for by: Archie Moe, 125 Ohio Avenue, West Springfield, MA 01089.

--Motion made by Councilor Walczak to receive and the Junk Dealers change of location be granted with restrictions. Councilor Walczak stated submit a new plot plan and lease agreement. Motion passed.

23 A favorable License Committee report, ORDERED THAT Murray Automotive, LLC, 102 Old Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Murray Automotive, LLC including compliance with restrictions imposed upon any licenses held by Murray Automotive, LLC. The Council may modify, suspend, fine or revoke any license held by Murray Automotive, LLC.

--Motion made by Councilor Walczak to receive and the license be placed on file. Motion amended by Councilor Dobosz to refer back to the License Committee. Councilor Walczak stated he will refer to Councilor Dobosz. Councilor Dobosz stated this is an ongoing issue. Approached the license holder in February, 10-15 unregistered cars, look at the plot plan and resubmit. Make sure he is complying with the rules. Working on it, call in and hopefully he will comply. Councilor Roy asked if he has room for expansion? Fire Department made him close in his space. There is no way for him to get as many spaces as he is using. Councilor Courchesne asked if he wants to modify, then he would have to come back with a new plot plan. Motion passed, referred.

24 A favorable License Committee report, ORDERED THAT Daniel's Truck Center, 18 Montcalm Street, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Daniel's Truck Center, including compliance with restrictions imposed upon and licenses held by Daniel's Truck Center. The Council may modify, suspend, fine, or revoke any license held by Daniel's Truck Center.

--Motion made by Councilor Walczak to receive and the license to continue and place on file. Councilor Walczak stated the gentleman understood, good housekeeping issues, he's about 60% done. Motion passed.

- 25 A favorable License Committee report, ORDERED THAT Matt's Auto Mall, LLC., 1840 Memorial Drive, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Matt's Auto Mall, LLC. including compliance with restrictions imposed upon any licenses held by Matt's Auto Mall, LLC. The Council may modify, suspend, fine, or revoke any license held by Matt's Auto Mall.

--Motion made by Councilor Walczak to receive and place on file. Councilor Walczak stated good housekeeping, reduce the number of cars to the amount on the license, other items did not belong, will monitor. Motion passed.

- 26 A favorable License Committee report, ORDERED THAT Daigle's Truck Master, Inc., 57 Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Daigle's Truck Master, Inc. including compliance with restrictions imposed upon and licenses held by Daigle's Truck Master. The Council may modify, suspend, fine, or revoke any license held by Daigle's Truck Master.

--Motion made by Councilor Walczak to receive and the license to continue and placed on file with restrictions. Councilor Walczak stated will defer to Councilor Dobosz. Councilor Dobosz stated was called in because of idling trucks. Issues parking on city property, said will put up signs, no idling. Didn't appreciate the way the license holder spoke to the councilors, vehicles are on city property. Was told you can't have trucks idling. Councilor Laflamme stated this was interesting, type of guy that's expanding, trucks are on city property as you come up Sheridan Street, you can't even see. He says he's been using city property, been trying to use vacant property across the street. Councilor Zygarowski stated been going on for years. Hopefully will find a solution, understand talking to him problems for years, trucks take down the signs. Councilor Walczak requested they put signs there, felt this should have been resolved with the Councilor. Motion passed.

- 27 A favorable License Committee report, an application for a Service Station License for Big Y Express, #119 located at 1177 Granby Road.

--Motion made by Councilor Walczak to receive and the application be postponed to the call of the chair. Councilor Walczak stated they didn't attend, refer back to committee. Motion passed, referred. Councilor Dobosz abstained.

- 28 A Zoning Committee report, a Special Permit application under Chapter 275-70 for the purpose of medical marijuana facility (Retail Medical Marijuana Dispensary) and the following waiver requests (1) seeking a waiver from the hours set forth in section E(4) of the Adult Use Marijuana Zoning Ordinance - to operate from 8 AM to 10 PM, seven days a week; (2) seeking a waiver under section 275-62(D) for setback requirements for ground sign from 25 ft. to 1.8 ft. Location : 672A Fuller Road. Applied for by: Theory Wellness, Inc., Brandon Pollock, President & CEO, 38 Montvale Ave. #210, Stoneham, MA 02180.

--Motion made by Councilor Brooks to receive and voted on this evening. Motion made by Councilor Brooks to deny waiver-upholding the ordinance hours of 8am to 8pm. Motion passed through all stages by a roll call vote of 12 yes, 1 no, Councilor Zygarowski voting no. Motion made by Councilor Brooks to approve the waiver of setback from 25' to 1.8'. Motion passed through all stages by a roll call vote of 12 yes, 1no, Councilor Zygarowski voting no. Motion made by Councilor Brooks to receive, pass and approve the request for medical marijuana. Councilor Brooks stated two orders, same process, we have to take three votes.

Special permit and two waivers. Located on Fuller Road. Councilor Dobosz stated would let this pass, do like the restrictions, more disruptive than the other two that have passed. Ok with this seeing resident concerns are minimal, if traffic is really bad police will let us know. No thrilled about it, will let it pass tonight. Councilor Laflamme stated will wait for the permit itself. Councilor Courchesne stated he attended the meeting. Councilor Laflamme is concerned with traffic, traffic isn't a good thing for their business. Councilor Brooks stated police will be on site. Councilor Laflamme stated he went to the meeting, was the only one to vote against. Traffic is the main concern. Baskin Drive, trash & yard waste being brought there. Spent time on the phone with Liz today, traffic is crazy. You take your life in your hands, will be taken care of with the reconstruction of the road. Will be voting in favor, don't support but will vote in favor. Gentleman did a great job with the presentation. Councilor Tillotson stated not a big fan of marijuana but it's a fact of life now. Police officer will be there to identify traffic concerns. Most are not fans but this is an idol building that will be used. Hours the same so they don't compete. Motion passed through all stages by a unanimous roll call vote.

- 29 A Zoning Committee report, a Special Permit application under Chapter 275-72 for the purpose of adult use marijuana establishment – marijuana retailer (license group B) and the following waiver requests (1) seeking a waiver from the hours set forth in section E(4) of the Adult Use Marijuana Zoning Ordinance – to operate from 8 AM to 10 PM, seven days a week; (2) seeking a waiver under section 275-62(D) for setback requirements for ground sign from 25 ft. to 1.8 ft. Location: 672A Fuller Road. Applied for by: Theory Wellness, Inc., Brandon Pollock, President & CEO, 38 Montvale Ave. #210, Stoneham, MA 02180.

--Motion made by Councilor Brooks to receive and the three components be voted on this evening. Motion passed. Motion made by Councilor Brooks to deny the waiver of hours of operation. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Brooks to allow the setback requirement 25' to 1.8' with restrictions. Motion passed through all stages by a unanimous roll call vote. Motion made by Councilor Brooks the Special Permit request for adult use marijuana be approved with restrictions. Councilor Walczak stated same as previous, some changes, hours as prescribed by ordinances. Motion passed through all stages by a roll call vote of 12 yes, one no. Councilor Zygarowski voting no.

- 30 A Zoning Committee report, a Special Permit application under 275-58(C)(4) for the purpose of a new drinking place with the consumption of alcohol located at 27 Grove Street. Applied for by: Junior S. Williams, 335 Newbury Street, Springfield, MA 01104.

--Motion made by Councilor Brooks to receive and the Special Permit granted with restrictions. Councilor Brooks stated very beginning of someone opening the Courtyard Café. Will require a liquor license. Motion passed through all stages by a unanimous roll call vote.

- 31 A Zoning Committee report, a Special Permit application under 275-58(C)(4) for the purpose of generating a bar and lounge with live and prerecorded entertainment. Reopening premises known as "Rivolis" located at 43 Springfield Street. Applied for by: 43 Springfield Street, Inc., Neysha Matos, 8 Mereline Avenue, East Longmeadow, MA 01028.

--Motion made by Councilor Brooks to receive and the Special Permit granted with restrictions. Councilor Brooks stated run with the applicant. Looking to get a liquor license.

Motion passed through all stages by a roll call vote of 12 yes, 1 out of chair. Councilor Dobosz out of chair.

- 32 ORDERED THAT the DPW Superintendent review the safety of the intersection of Bridle Path Road and Hunt Seat Drive as to whether safety would be greater with a stop sign rather than the current yield sign.

--Motion made by Councilor Tillotson to receive and sent to DPW for implementation. Councilor Tillotson stated neighbor concerns. Motion passed.

- 33 ORDERED THAT the CEL review and provide adequate lighting on Willow Street.

--Motion made by Councilor Tillotson to receive and sent to CEL for implementation. Councilor Tillotson stated wonder if there is adequate lighting or not. Told there were two poles, only found one, wait and see what CEL responds. Motion passed.

- 34 ORDERED THAT the DPW inspect the tree located adjacent to 369 Granby Road. The tree in question is on Cobb Ave within five feet of the posted Go Slow Children sign.

--Motion made by Councilor Brooks to receive and sent to DPW for implementation. Councilor Brooks stated looks like a city tree. Motion passed.

- 35 BE IT ORDERED THAT Elms College be permitted to attach banners on the light poles along Springfield Street to help their campus stand out and brand it a little better.

--Motion made by Councilor Balakier to receive and permission granted. Motion amended by Councilor Laflamme to refer to Public Utilities committee. Councilor Balakier stated they had a meeting with Elms and the Mayor's aide. Elms approached city to place banners to help the school stand out. Promote the campus. Good partner, don't think CEL will have issues. Councilor Laflamme stated CEL has a problem with this. Has concerns, asked by CEL to refer to the Utilities Committee, not against, came up a while back, not sure we have the right. Councilor Balakier stated since it is a non-profit they shouldn't have a problem. Motion passed referred.

- 36 BE IT ORDAINED by the City Council that the Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:

Add Chapter 26-2

**CHAPTER 26-2: Election Notification**

- A. Written Notification. The Office of the City Clerk for the City of Chicopee shall mail a written notice to registered voters households no later than twenty (20) days prior to a municipal election. The written notification shall be at minimum of four by six inch index card that includes the date of the upcoming municipal election, the polling location of the household, and the offices that will appear on the ballot. Notwithstanding anything to the contrary, written notification as called for herein shall also be provided in the event of a municipal referendum with a brief description of the referendum question.

- B. Signage. On the day of a municipal election, the Office of the Registrar of Voters shall post signs at the closest intersection to a polling location, as determined by the Office of Registrar of Voters, in and on the public way and on City-owned property informing the public of municipal Election Day. The signage shall be at minimum 14x18 inches and contain the language "VOTE TODAY".
- C. The language and design of all notification methods resulting from this ordinance shall be neutral and non-partisan and shall be subject to the approval of the Office of the Registrar of Voters. No candidates name shall appear as a part of this notification.

--Motion made by Councilor McAuliffe to receive, 1<sup>st</sup> reading and refer to the Ordinance committee for a public hearing. Councilor McAuliffe stated a colleague, counterpart in Springfield submitted this. Voter turnout has gone down, try it, see if it works. Hoping to send to ordinance. Councilor Courchesne asked if it has to go to Finance also? Councilor Laflamme stated like City Clerk and Registrar of Voters attend to get input. Councilor Tillotson stated don't see need for this, school children can be asked to bring home paper from school. Use electric light bill. Cost Clerks/Registrars time. Do we need to be spoon-fed for everything? Been educated all of our lives to vote. Every official will put up a sign. Don't think it's worthwhile. One year won't tell us, have to run at least 5 years to get valid statistics. Now offer cars to get to the polls? Don't need this ordinance, make people more responsible. Don't think the Mayor will fund this. People are smart enough to vote if they want to vote. Cost is unnecessary stay home if they don't like any one running. Councilor Walczak stated this reminded him of his own postcard that has the date and time of the election. Sick of watching commercials, some people might get insulted if we tell them to vote with taxpayer money. Councilor Courchesne stated lot of satellite dishes in neighborhoods. Declining enrollment in schools. Would be about \$800 to \$100 to put in the CEL bill, \$2 per taxpayer, one attempt to communicate. Motion to refer passed by a roll call vote of 11 yes 2 no. Councilors Tillotson and Labrie voting no.

- 37 A proposed ordinance, adding to Chapter 260, Parking Regulations, Ellerton Street – In front of 76 Ellerton Street, Parking Prohibited.

--Motion made by Councilor Zygarowski to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee. Councilor Zygarowski stated will deal with in ordinance. Councilor Balakier stated in ward, parking is prohibited on most of the even side of the street, wants conformity. Motion passed, referred.

- 38 A proposed ordinance, adding to Chapter 260, Parking Regulations, Broadway – East side – Entire length between Madison Street and Monroe Street, Parking Prohibited.

--Motion made by Councilor Zygarowski to receive, 1<sup>st</sup> reading and refer to the Ordinance Committee. Councilor Zygarowski stated will deal with in Ordinance. Motion passed, referred.

- 39 A RENEWAL of a Transient Vendor License at: Downtown Chicopee, Center, Exchange, Springfield and Front Streets for the Chicopee Downtown GetDown event to take place August 23, 2019 from 12PM to 11PM, August 24, 2019 from 9AM to 11PM to sell various items. Applied for by: Lee Pouliot, Planning Director, 274 Front Street.

--Motion made by Councilor Walczak to receive, granted and approved this evening. Councilor Walczak stated annual event, renewal list of vendors to be submitted to the Clerk's Office before event. Motion passed.

- 40 A NEW application for a Class II license located at: 400 East Main Street. Applied for by: Albert A. Lafleur, 155 Old Lyman Road, South Hadley, MA 01075.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Councilor Walczak stated will take up in committee. Motion passed, referred.

- 41 A NEW application for an Auto Repair license located at: 400 East Main Street. Applied for by: Al Lafleur Inc.

--Motion made by Councilor Walczak to receive and refer to the License Committee. Councilor Walczak stated will take up in committee. Motion passed, referred.

ATTEST:

A handwritten signature in black ink, appearing to read "Keith W. Rattell", written in a cursive style.

KEITH W RATTELL  
CITY CLERK